

Appl. No. 09/816,012  
Amendment and/or Response  
Reply to Office action of 9 February 2005

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REMARKS / DISCUSSION OF ISSUES

Claims 31-50 are pending in the application.

The Office action rejects claims 31-50 under 35 U.S.C. 103(a) over Tuttle (USP 6,509,829) and Stutz ("Your Vacation Plans for Sale?", Wired News, 9 July 1998). The applicants respectfully traverse this rejection.

Claim 31, upon which claims 32-41 depend, and claim 42, upon which claims 43-50 depend, claim a method of subsidizing/managing a transportation system, that includes collecting a fare and granting access to the transportation system via a use of a transportation pass, the transportation pass being configured to communicate electronic information to an authorization device to collect the fare and grant the access based on collecting the fare, and selling some or all of the statistical reports collected based on the access to subsidize the transportation system.

Tuttle teaches a transponder device for use at airports that allows passengers having reservations on planes to avoid lines. The airport system detects the transponder corresponding to a person having a reservation on an upcoming flight, and automatically checks the person in.

Stutz teaches the potential sale of travel information by airlines and travel agents.

Neither Tuttle nor Stutz teach a transportation pass that is used to collect a fare to gain access to a transport system. Tuttle specifically teaches searching the airport area for people who already have reservations for an upcoming flight, and also teaches granting a boarding pass only to people who have already purchased a ticket.

In the applicants' claimed invention, paying the fare provides the access, consistent with transportation systems that do not require reservations, such as mass-transit busses and trains. Although the applicants' invention could be used in a reservation-based system such as taught by Tuttle, Tuttle does not teach or suggest that the transponder that is used to locate a person having a reservation is also a debit or credit card that is used to collect the fare to gain access to the transport system, as specifically claimed by the applicants.

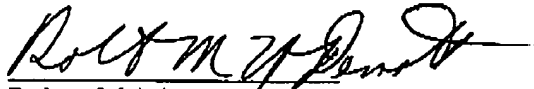
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Because neither Tuttle nor Stutz, individually or collectively, teach or suggest a transportation pass that is used to collect a fare to gain access to a transport system, the applicants respectfully request the Examiner's reconsideration of the rejection of claims 31-50 under 35 U.S.C. 103(a) over Tuttle and Stutz.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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